

# **HAMILTON COUNTY LEPC Bylaws** (amended 04282016)

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## **ARTICLE I—Identification**

The Hamilton County Local Emergency Planning Committee, hereinafter referred to as the "Committee," is a state entity created pursuant to SARA Title III, the Emergency Planning and Community Right-to-Know Act of 1986. The committee has been appointed by the Indiana Emergency Response Commission as a special State Appointee. The primary purpose of the Committee is to implement SARA Title III in Hamilton County. Its broader purpose is to enhance environmental protection and public health and safety as these are affected by chemical hazards in Hamilton County.

## **ARTICLE II—Committee Members**

### **Section 1: Organizations Represented**

The Committee consists of members selected under the provisions of these Bylaws and appointed by the Indiana Emergency Response Commission (IERC), and includes representatives from the following: local and state government (to include public works), law enforcement, emergency management, firefighting, medical services, health, hospital, environmental, transportation, media, industry (to include utilities), and community groups.

### **Section 2: Membership Applications**

Membership on the Committee is open to any interested person who meets the criteria established by the IERC for membership in the roster category in question. The names of the qualifying applicants will be forwarded to the IERC for provisional appointment until the next IERC meeting. Applicants whom the Chair informs do not meet the IERC's criteria; will be informed of the procedure for petitioning the IERC to appeal the Chair's determination.

## **ARTICLE III—Committee Meetings**

### **Section 1: Frequency of Meetings**

The Committee will meet at least quarterly and more frequently at the discretion of its Chair.

### **Section 2: Announcement of Meetings**

- a. Members of the Committee shall be notified at each Committee meeting of the next meeting time, place, and date, and shall be notified in writing two weeks in advance of such meetings of the next meeting, agenda, time, place and date.
- b. The public will be notified of Committee meetings at least two (2) business days in advance of each meeting.

### **Section 3: Location of Meetings**

The Committee meetings will be held at 18100 Cumberland Road, Noblesville, Indiana, or as otherwise determined by the Chair.

### **Section 4: Quorum of Members for Meetings**

Regular and Sub-Committee Meetings:

The quorum for any regular or properly called meeting of the LEPC shall be fifty percent (50%) plus one (1) of LEPC members qualified and present at the time of the meeting.

## **Section 5: Conduct of Meetings**

- a. Committee meetings will be conducted according to Robert's Rules of Order, and in accordance with the provisions of the Indiana Open Door Law, the Indiana Public Records Law, and the Indiana Administrative Order and Procedures Act.
- b. Any matter to be voted on shall take the form of a resolution or motion. A simple majority of the members in attendance at a Committee meeting must vote affirmatively for adoption of any resolution.
- c. Each Committee member, including the chair will have one vote.
- d. A Committee member may vote for or against a resolution, or may abstain from voting.

## **ARTICLE IV—Committee Sub-Committees**

### **Executive Committee**

- a. The internal management and conduct of the business of the LEPC shall be vested in an Executive Committee composed of the LEPC Chair, Vice-Chair, Secretary/Treasurer, and Sub-Committee Chairs. The Executive Committee is authorized to do all things necessary to conduct the business of the LEPC.
- b. The Executive Committee shall, at each regular meeting of the LEPC, make a full report of all business transacted by the Executive Committee.

## **Section 1: Identification of Committees and Appointments/Resignations**

- a. The Sub-Committees are three (3) in number and are the Information, Compliance/Planning and Training/Exercise Sub-Committees.
- b. The Sub-Committees of the Hamilton County LEPC will be used to assist in achieving its goals. The Sub-Chairs shall be appointed by the LEPC Chair and shall serve for a term of one (1) year. Members shall be limited to one subcommittee. Subcommittee's responsibilities are, but not limited to:
  1. **Information Subcommittee:**
    - Updates membership application and manages the application process
    - Receives membership applications and forwards to Chair for approval
    - Creates a membership roster from approved applications; submits roster to LEPC Secretary to upload online to IERC. **ROSTER IS AN ANNUAL LEPC REQUIREMENT DUE MARCH 1**
    - Solicits new membership; filling any category vacancies; orientation and mentoring of new members
    - Creates annual LEPC meeting schedule; submits meeting schedule to LEPC Secretary to upload online to IERC. **THIS IS AN ANNUAL LEPC REQUIREMENT DUE JANUARY 31**
    - Writes and publishes public notice; to include LEPC meeting dates, times and location. As well as when and where to obtain public information filed by SARA Title III facilities. Submits public notice to LEPC Secretary to upload online to IERC. **THIS IS AN ANNUAL LEPC REQUIREMENT DUE JANUARY 31**
    - Reviews the budget; making necessary adjustments, if needed.

- LEPC Secretary submits Fiscal Report online to IERC. **THIS IS AN ANNUAL LEPC REQUIREMENT DUE MARCH 1**

- Creates/obtains materials to perform citizen/neighborhood outreach to inform of plan and other information that is available

**2. Compliance/Planning Subcommittee:**

- Creates a process to manage SARA Title III facilities who submit Tier II reports via Tier 2 Manager; includes reviewing Tier II reports and other documents submitted in the Tier 2 Manager, compare reporting years and follow up with non-compliant facilities

- Establishes procedure for receiving and processing public requests under EPCRA

- Works with local fire inspectors/hazmat coordinators to assist in educating facilities about EPCRA/SARA Title III reporting

- Maintains LEPC bylaws, reviews and updates as needed annually. Forwards updated bylaws to the LEPC Planning Coordinator to upload online to the IERC.

**THIS IS AN ANNUAL LEPC REQUIREMENT DUE MARCH 1**

- Maintains the LEPC Plan and its documents, reviews and updates the Plan as needed annually. Forwards updated Plan to Planning Coordinator to upload online to IERC. **THIS IS AN ANNUAL LEPC REQUIREMENT DUE OCTOBER 17**

- Develops long term LEPC goals

**3. Training/Exercise Subcommittee:**

- Conducts training needs assessment;

- Requests training grants to provide needed training

- Coordinating training programs; and establishes an exercise schedule

- Plan and participate in exercises to test the LEPC Plan on an annual basis;

- Ensures all exercise activities conforms to HSEEP standards. ALL HSEEP exercise documentation must be submitted to IDHS in a timely manner. **THIS IS AN ANNUAL LEPC REQUIREMENT** (*Exercise proposal must be submitted online to IERC 30 days before exercise date. Exercise report must be submitted online to IERC no later than 30 days after exercise date.*)

b. Appointments to Sub-Committees are voluntary, and subject to the approval of the Executive Committee. Sub-Committee Chairs are appointed by the LEPC Chair, with the approval of the elected members.

c. Resignations of Sub-Committee members are to be submitted in writing to the Chair, who may, at his/her discretion, replace resigning members.

**Section 2: Dissolution and Establishment of Sub-Committees**

Additional Sub-Committees may be established and existing ones dissolved by a majority vote of the Committee.

**Article V—Officers**

**Section 1: Officers**

The Officers of the Committee are the Chair, Vice-Chair, and Secretary/Treasurer.

**Section 2: Terms of Officers**

The Chair and Vice Chair will serve a two year consecutive term with the Vice Chair succeeding into the Chair position at the end of the Chair's two year term., at which time the Committee will elect a new Vice Chair, unless there is a resignation. The Terms of the Secretary/Treasurer is for a period of two years.

### **Section 3: Election of Officers**

Annual election of open Offices will be effected by a majority vote of all Committee members.

The officers shall be nominated during the final meeting of the LEPC in a calendar year and LEPC members shall vote through a special meeting (electronic voting) and be elected by simple majority. Outgoing officers shall serve in such capacity until a duly elected member of the LEPC has been elected to replace said officer. New officers' terms begin January 1. A vacancy in any elected office shall be filled by vote of the LEPC at any regular or special meeting.

A roster of names, business addresses and telephone numbers of the respective representatives shall be maintained in the office of the Hamilton County Emergency Management Agency, 18100 Cumberland Road, Noblesville, IN 46060 and at such other locations deemed necessary or convenient by the LEPC.

## **ARTICLE VI—Powers and Duties of Officers**

### **Section 1: Meeting Frequency, Dates, Times and Locations**

The Chair will determine the frequency, dates, times and locations of Committee meetings. Such meetings shall comply with the Indiana Open Door law.

### **Section 2: Sub-Committee Appointments**

The LEPC Chair shall appoint the Chair and members of each Sub-Committee.

### **Section 3: Committee Meetings' Conduct**

- a. The Chair will conduct Committee meetings according to Robert's Rules of Order.
- b. Committee meeting agendas will be set by the Chair.

### **Section 4: Delegation of Authority**

The Chair of the Committee may delegate at his/her discretion his/her powers and duties to the Vice-Chair, consistent with other provisions of the bylaws.

- a. Chair
  - i. The Chair of the LEPC shall preside in all regular and special meetings of the LEPC, sign any documents as designated by the LEPC, act as spokesperson for the LEPC and perform such other duties as the LEPC may designate.
- b. Vice Chair
  - i. The Vice Chair shall perform all duties of the Chair in the temporary absence or disability of the Chair except as otherwise provided by the LEPC.
- c. Secretary/Treasure
  - i. The Secretary/Treasurer shall keep a record of the proceedings of the LEPC, prepare all minutes and special actions of any meeting of the LEPC, certify all minutes and official documents of the LEPC and perform such other duties as the LEPC may designate.

### **Section 5: Meeting Minutes and Fiscal Records**

The Secretary/Treasurer shall keep Committee meeting minutes and a record of the finances of the Committee.

## **ARTICLE VII—Title III Document Submissions**

### **Section 1: Repository of Documents**

The Emergency Management office in Noblesville, Indiana will be the repository for all documents submitted to the Committee pursuant to the provisions of SARA Title III and the Indiana Access to Public Records law.

### **Section 2: Availability of Documents to the Public**

Title III documents will be available for examination and copying by the public during the hours of 8:00 am and 4:30 pm, Monday through Friday, at 18100 Cumberland Road, Noblesville, Indiana. The Committee shall comply with the Indiana Access to Public Records law, including provisions relating to confidential records. A fee consistent with county ordinance will be applied for any documents provided.

### **Section 3: Committee Records**

All records of Committee meetings, including meeting agendas and minutes, shall be available for inspection at 18100 Cumberland Road, Noblesville, Indiana.

### **Section 4: Legal Notices**

The Committee shall publish annually a legal notice indicating where all Title III documents are maintained, including the Committee's emergency plan, MSDS, Tier forms, and written follow-up notices from facilities experiencing Title III spills.

## **ARTICLE VIII—Adoption/Amendment of Committee Bylaws**

### **Section 1: Adoption of Bylaws**

A simple majority of Committee members is required to adopt the Committee's Bylaws

### **Section 2: Amendment of Bylaws**

A simple majority of Committee members is required to amend the Committee's bylaws during any regular or special meeting of the LEPC by an affirmative vote of a present quorum, providing the Amendment has been submitted in writing to each member of the LEPC ten (10) days in advance of the meeting called to amend the Bylaws.

## **ARTICLE IX—Non-Exclusion Provision**

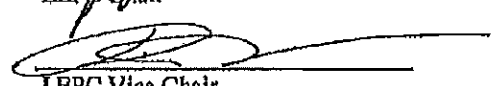
Nothing in these bylaws is to be construed as excluding or contravening any additional provision of federal or state law which are not explicitly or implicitly referred to within these bylaws


## **ARTICLE X—Bylaws Adoption and Signing**

Upon their adoption by the Committee, a copy of these bylaws will be signed and dated by the Chair of the Committee and will be available for inspection and copying by the public at 18100 Cumberland Road, Noblesville, Indiana.

These By-Laws have been reviewed and approved as written by the members of the LEPC this, 28th day of April, 2016 in Hamilton County, Indiana.

  
LBPC Chair

  
LBPC Vice Chair

  
LBPC Secretary/Treasurer

  
LBPC Sub Committee Chair

  
LBPC Sub Committee Chair

  
LBPC Sub Committee Chair

5/3/2016

Date

28 APR 16

Date

4/28/16

Date

4-28-16

Date

4-28-16

Date

5-5-2016

Date